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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

COHMAD SECURITIES CORPORATION, *et al.*,

Defendants.

Adv. Pro. No. 09-01305 (SMB)

**STIPULATION AND ORDER FOR SUBSTITUTION OF MARCIA B. COHN IN  
HER CAPACITY AS CO-EXECUTOR OF THE ESTATE OF MAURICE COHN  
AND MARILYN COHN IN HER CAPACITY AS CO-EXECUTOR OF THE  
ESTATE OF MAURICE COHN IN PLACE OF DECEASED DEFENDANT  
MAURICE J. COHN, AND SHERRY GAINES IN HER CAPACITY AS  
CO-EXECUTOR OF THE ESTATE OF MILTON S. COHN AND MARCIA  
B. COHN IN HER CAPACITY AS CO-EXECUTOR OF THE ESTATE OF  
MILTON S. COHN IN PLACE OF DECEASED DEFENDANT MILTON S. COHN**

**WHEREAS**, Plaintiff Irving H. Picard (“Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–*lll*, and the estate of Bernard L. Madoff individually, commenced this adversary proceeding (the “Adversary Proceeding”) against, among others, Maurice J. Cohn and Milton S. Cohn, by filing his original complaint in the Bankruptcy Court on June 22, 2009 (ECF No. 1); and

**WHEREAS**, Maurice J. Cohn died on May 4, 2015; and

**WHEREAS**, Milton S. Cohn died on August 29, 2015; and

**WHEREAS**, Marcia B. Cohn and Marilyn Cohn have been duly appointed the co-executors of the Estate of Maurice Cohn; and

**WHEREAS**, Marcia B. Cohn and Sherry Gaines have been duly appointed the co-executors of the Estate of Milton S. Cohn.

**IT IS THEREFORE MUTUALLY AGREED AND STIPULATED**, by and between the Trustee, Marcia B. Cohn in her capacity as co-executor of the Estate of Maurice Cohn and co-executor of the Estate of Milton S. Cohn, Marilyn Cohn in her capacity as co-executor of the Estate of Maurice Cohn, and Sherry Gaines in her capacity as co-executor of the Estate of Milton S. Cohn as follows:

1. Marcia B. Cohn and Marilyn Cohn in their capacities as co-executors of the Estate of Maurice Cohn are hereby substituted as defendants to replace Maurice J. Cohn in the Adversary Proceeding.

2. Marcia B. Cohn and Sherry Gaines in their capacities as co-executors of the Estate of Milton S. Cohn are hereby substituted as defendants to replace Milton S. Cohn in the Adversary Proceeding.

3. This Stipulation is intended by all parties hereto to be solely for the purpose of substituting the correct parties to comply with Fed. R. Civ. P. 25(a)(1) made applicable by Fed. R. Bankr. P. 7025. The parties to this Stipulation reserve all rights, claims and/or defenses they may have and entry into this Stipulation shall not impair or otherwise affect any such rights, claims and/or defenses.

4. This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

5. The Clerk of the Court is hereby directed to amend the caption to read as indicated in Exhibit "A" to this Stipulation.

Dated: July 6, 2016  
New York, New York

**BAKER & HOSTETLER LLP**

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SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the estate  
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Cohn individually and in her capacity  
as co-executor of the Estate of  
Maurice Cohn and co-executor of the  
Estate of Milton S. Cohn, Marilyn  
Cohn individually and in her capacity  
as co-executor of the Estate of  
Maurice Cohn, and Sherry Gaines in  
her capacity as the co-executor of the  
Estate of Milton S. Cohn.*

So Ordered This 6<sup>th</sup> Day of July, 2016

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE